

Special Meeting Minutes
Wednesday, September 02, 2009
Meeting Scheduled Start Time: 10:00 AM

BOARD OF SUPERVISORS
Maricopa County, Arizona
(and the Boards of Directors of the Flood Control
District, Library District, Stadium District, Improvement
Districts, and/or Board of Deposit)



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities."

Board Members

Max Wilson, District 4, Chairman
Fulton Brock, District 1
Don Stapley, District 2
Andrew Kunasek, District 3
Mary Rose Wilcox, District 5

County Manager

David Smith

Clerk of the Board

Fran McCarroll

Meeting Location

Sullivan Conference Room
301 W. Jefferson, 10th Floor
Phoenix, AZ 85003

BOARD OF SUPERVISORS

The Board of Supervisors of Maricopa County, Phoenix, Arizona, convened in Special Session at 10:00 AM on Wednesday, September 02, 2009, in the Sullivan Conference Room, 301 W. Jefferson, Phoenix, Arizona, with the following members present: Max Wilson, Chairman, District 4; Don Stapley, Vice Chairman, District 2; Fulton Brock, District 1; Mary Rose Wilcox, District 5. Absent: Andrew Kunasek, District 3. Also present: Fran McCarroll, Clerk of the Board; David Smith, County Manager; and Paul Golab, Outside Counsel to the Board.

1. Vote to convene in Executive Session to consider the items on the Special Executive Agenda dated September 2, 2009, pursuant to the statutory authority listed for each item.

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

EXECUTIVE SESSION CONVENED

Chairman Wilson convened Executive Session.

MEETING RECESSED AND RECONVENED

Chairman Wilson recessed Executive Session and reconvened Open Session to hear the following items.

Assessor

2. **CNL HOTELS AND RESORTS, LLC AND DESERT RIDGE, LLC V. MARICOPA COUNTY, TX2007-000057 (CONSOLIDATED WITH TX2007-000177); TX2008-000520**

Take action in response to offer of settlement made by Plaintiff in CNL Hotels and Resorts, LLC and Desert Ridge, LLC v. Maricopa County, TX2007-000057 (consolidated with TX2007-000177); TX2008-000520, as discussed in Executive Session on September 2, 2009.

The Clerk announced this item had been withdrawn.

3 SCOTTSDALE PRINCESS PARTNERSHIP V. MARICOPA COUNTY, TX2007-000137

Take action in response to a settlement offer made by Plaintiff in Scottsdale Princess Partnership v. Maricopa County, TX2007-000137, as discussed in Executive Session on September 2, 2009.

The Clerk announced this item had been withdrawn.

4. MACY'S V. MARICOPA COUNTY, TX2007-000340, TX2008-000355; DILLARDS V. MARICOPA COUNTY, TX2007-000359, TX2008-000352

Authorize Offers of Judgment in Macy's v. Maricopa County, TX2007-000340, TX2008-000355; Dillards v. Maricopa County, TX2007-000359, TX2008-000352, consistent with the values set forth on Exhibit "A," attached, as discussed in Executive Session on September 2, 2009.

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley
Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

5. NORDSTROM V. MARICOPA COUNTY, TX2007-000362, TX2008-000353, AND THE 2010 APPEAL

Authorize settlement of Nordstrom v. Maricopa County, TX2007-000362, TX2008-000353, and the 2010 Appeal consistent with the values set forth on the attached Exhibit "A," as discussed in Executive Session on June 15, 2009 and September 2, 2009.

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley
Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

EXECUTIVE SESSION RECONVENED

The Chairman reconvened the Board in Executive Session.

MEETING RECESSED AND RECONVENED

Chairman Wilson recessed Executive Session and reconvened Open Session to vote on the following item.

Planning and Development

6. AUTHORIZATION TO FILE PETITION FOR REVIEW

Authorize outside counsel to file a Petition for Review to the Arizona Supreme Court and/or other administrative actions as determined by the Board of Supervisors in the matter of Arizona Motorsports Park, LLC v. Maricopa County, Case Number: 1 CA-CV 08-0464.

Motion to authorize outside counsel to file a Motion for Reconsideration with the Court of Appeals and a Petition for Review with the Arizona Supreme Court in the matter of Arizona Motorsports Park, LLC v. Maricopa County, Case Number: 1 CA-CV 08-0464

by: Supervisor Stapley, Seconded by: Supervisor Wilcox
Ayes: Stapley, Brock, Wilcox, Wilson
Absent: Kunasek

EXECUTIVE SESSION RECONVENED

Chairman Wilson reconvened Executive Session to hear the last two items on that agenda.

MEETING ADJOURNED

Following discussion of Executive Session items, and there being no further business to come before the Board, the meeting was adjourned.

ATTEST:

Max W. Wilson, Chairman of the Board

Fran McCarroll, Clerk of the Board